

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

YEHUDA HERSKOVIC,

*Plaintiff,*

*-against-*

VERIZON WIRELESS,

*Defendant.*

Case No.: 1:19-cv-03372

**DEFENDANT CELCO  
PARTNERSHIP D/B/A VERIZON  
WIRELESS' NOTICE OF MOTION  
TO COMPEL CONTRACTUAL  
ARBITRATION AND STAY  
ACTION**

Case Removed: June 6, 2019

**PLEASE TAKE NOTICE**, that upon the annexed Motion of Andrew P. Kates, Esquire, dated July 25, 2019, the Memorandum of Law in Support, the exhibits attached hereto, together with all pleadings, all prior proceedings and all directives had herein, Defendant, Cellco Partnership d/b/a Verizon Wireless, *incorrectly sued as* “Verizon Wireless” (“Verizon Wireless” or “Defendant”), by its attorneys, Segal McCambridge Singer & Mahoney, Ltd., will move this Court, before the Honorable Judge Robert M. Levy, U.S.M.J., in the United States District Court for the Eastern District of New York, located at the District Courthouse, 225 Cadman Plaza, Brooklyn, New York 11201, on the 28<sup>th</sup> day of August, 2019, at 10:00 A.M. in the forenoon of that day, or as soon thereafter, as counsel can be heard, for an Order:

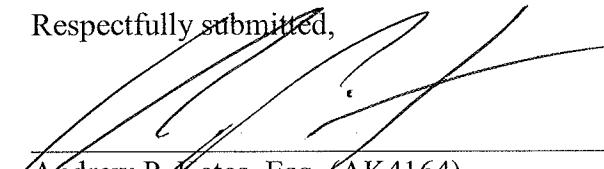
1. Vacating the Court’s notice of arbitration (Dkt. # 13) and in its place, entering an Order compelling arbitration pursuant to the parties’ written agreement and the Federal Arbitration Act (“FAA”), 9 U.S.C. § 2, *et seq.*; and
2. Staying this action pending the outcome of the arbitration.

**PLEASE TAKE FURTHER NOTICE** that all answering papers, if any, are to be served in accordance with the Local Rules of this Court.

There has been no prior request for the relief sought herein.

Dated: New York, New York  
July 25, 2019

Respectfully submitted,

  
Andrew P. Kates, Esq. (AK4164)  
SEGAL, MCCAMBRIDGE, SINGER &  
MAHONEY, LTD.

*Attorneys for Defendant*

**Cellco Partnership d/b/a Verizon Wireless,  
incorrectly sued as "Verizon Wireless"**  
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TO:

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